

GERALD B. H. SOLOMON FREEDOM CONSOLIDATION ACT
OF 2001

NOVEMBER 5, 2001.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. HYDE, from the Committee on International Relations,
submitted the following

REPORT

[To accompany H.R. 3167]

The Committee on International Relations, to whom was referred the bill (H.R. 3167) to endorse the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

TABLE OF CONTENTS

The Amendment	Page 2
Background and Purpose	3
Hearings	4
Committee Consideration	4
Votes of the Committee	5
Committee Oversight Findings	5
New Budget Authority and Tax Expenditures	5
Committee Cost Estimate	5
Performance Goals and Objectives	5
Constitutional Authority Statement	5
Section-by-Section Analysis	5
New Advisory Committees	7
Congressional Accountability Act	7
Federal Mandates	7
Changes in Existing Law Made by the Bill, as Reported	7

THE AMENDMENT

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Gerald B. H. Solomon Freedom Consolidation Act of 2001”.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) In the NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note), Congress declared that “full and active participants in the Partnership for Peace in a position to further the principles of the North Atlantic Treaty and to contribute to the security of the North Atlantic area should be invited to become full NATO members in accordance with Article 10 of such Treaty at an early date . . .”.

(2) In the NATO Enlargement Facilitation Act of 1996 (title VI of section 101(c) of title I of division A of Public Law 104–208; 22 U.S.C. 1928 note), Congress called for the prompt admission of Poland, Hungary, the Czech Republic, and Slovenia to NATO, and declared that “in order to promote economic stability and security in Slovakia, Estonia, Latvia, Lithuania, Romania, Bulgaria, Albania, Moldova, and Ukraine . . . the process of enlarging NATO to include emerging democracies in Central and Eastern Europe should not be limited to consideration of admitting Poland, Hungary, the Czech Republic, and Slovenia as full members of the NATO Alliance”.

(3) In the European Security Act of 1998 (title XXVII of division G of Public Law 105–277; 22 U.S.C. 1928 note), Congress declared that “Poland, Hungary, and the Czech Republic should not be the last emerging democracies in Central and Eastern Europe invited to join NATO” and that “Romania, Estonia, Latvia, Lithuania, and Bulgaria . . . would make an outstanding contribution to furthering the goals of NATO and enhancing stability, freedom, and peace in Europe should they become NATO members [and] upon complete satisfaction of all relevant criteria should be invited to become full NATO members at the earliest possible date”.

(4) At the Madrid Summit of the NATO Alliance in July 1997, Poland, Hungary, and the Czech Republic were invited to join the Alliance in the first round of NATO enlargement, and the NATO heads of state and government issued a declaration stating “[t]he Alliance expects to extend further invitations in coming years to nations willing and able to assume the responsibilities and obligations of membership . . . [n]o European democratic country whose admission would fulfill the objectives of the [North Atlantic] Treaty will be excluded from consideration”.

(5) At the Washington Summit of the NATO Alliance in April 1999, the NATO heads of state and government issued a communique declaring “[w]e pledge that NATO will continue to welcome new members in a position to further the principles of the [North Atlantic] Treaty and contribute to peace and security in the Euro-Atlantic area . . . [t]he three new members will not be the last . . . [n]o European democratic country whose admission would fulfill the objectives of the Treaty will be excluded from consideration, regardless of its geographic location . . .”.

(6) In late 2002, NATO will hold a summit in Prague, the Czech Republic, at which it will decide which additional emerging democracies in Central and Eastern Europe to invite to join the Alliance in the next round of NATO enlargement.

(7) In May 2000 in Vilnius, Lithuania, the foreign ministers of Albania, Bulgaria, Estonia, Latvia, Lithuania, the Former Yugoslav Republic of Macedonia, Romania, Slovakia, and Slovenia issued a statement (later joined by Croatia) declaring that their countries will cooperate in jointly seeking NATO membership in the next round of NATO enlargement, that the realization of NATO membership by one or more of these countries would be a success for all, and that eventual NATO membership for all of these countries would be a success for Europe and NATO.

(8) On June 15, 2001, in a speech in Warsaw, Poland, President George W. Bush stated “[a]ll of Europe’s new democracies, from the Baltic to the Black Sea and all that lie between, should have the same chance for security and freedom—and the same chance to join the institutions of Europe—as Europe’s old democracies have . . . I believe in NATO membership for all of Europe’s democracies that seek it and are ready to share the responsibilities that NATO brings

. . . [a]s we plan to enlarge NATO, no nation should be used as a pawn in the agenda of others . . . [w]e will not trade away the fate of free European peoples . . . [n]o more Munichs . . . [n]o more Yaltas . . . [a]s we plan the Prague Summit, we should not calculate how little we can get away with, but how much we can do to advance the cause of freedom”.

(9) On October 22, 1996, in a speech in Detroit, Michigan, former President William J. Clinton stated “NATO’s doors will not close behind its first new members . . . NATO should remain open to all of Europe’s emerging democracies who are ready to shoulder the responsibilities of membership . . . [n]o nation will be automatically excluded . . . [n]o country outside NATO will have a veto . . . [a] gray zone of insecurity must not reemerge in Europe”.

SEC. 3. DECLARATIONS OF POLICY.

Congress—

(1) reaffirms its previous expressions of support for continued enlargement of the NATO Alliance contained in the NATO Participation Act of 1994, the NATO Enlargement Facilitation Act of 1996, and the European Security Act of 1998;

(2) supports the commitment to further enlargement of the NATO Alliance expressed by the Alliance in its Madrid Declaration of 1997 and its Washington Summit Communiqué of 1999; and

(3) endorses the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996, and urges our NATO allies to work with the United States to realize this vision at the Prague Summit in 2002.

SEC. 4. DESIGNATION OF SLOVAKIA TO RECEIVE ASSISTANCE UNDER THE NATO PARTICIPATION ACT OF 1994.

(a) IN GENERAL.—Slovakia is designated as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994 (title II of Public Law 103–447; 22 U.S.C. 1928 note) and shall be deemed to have been so designated pursuant to section 203(d)(1) of such Act.

(b) RULE OF CONSTRUCTION.—The designation of Slovakia pursuant to subsection (a) as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994—

(1) is in addition to the designation of Poland, Hungary, the Czech Republic, and Slovenia pursuant to section 606 of the NATO Enlargement Facilitation Act of 1996 (title VI of section 101(c) of title I of division A of Public Law 104–208; 22 U.S.C. 1928 note) and the designation of Romania, Estonia, Latvia, Lithuania, and Bulgaria pursuant to section 2703(b) of the European Security Act of 1998 (title XXVII of division G of Public Law 105–277; 22 U.S.C. 1928 note) as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994; and

(2) shall not preclude the designation by the President of other emerging democracies in Central and Eastern Europe pursuant to section 203(d)(2) of the NATO Participation Act of 1994 as eligible to receive assistance under the program established under section 203(a) of such Act.

SEC. 5. AUTHORIZATION OF SECURITY ASSISTANCE FOR COUNTRIES DESIGNATED UNDER THE NATO PARTICIPATION ACT OF 1994.

(a) AUTHORIZATION OF FOREIGN MILITARY FINANCING.—Of the amounts made available for fiscal year 2002 under section 23 of the Arms Export Control Act (22 U.S.C. 2763)—

- (1) \$6,500,000 is authorized to be available on a grant basis for Estonia;
- (2) \$7,000,000 is authorized to be available on a grant basis for Latvia;
- (3) \$7,500,000 is authorized to be available on a grant basis for Lithuania;
- (4) \$8,500,000 is authorized to be available on a grant basis for Slovakia;
- (5) \$4,500,000 is authorized to be available on a grant basis for Slovenia;
- (6) \$10,000,000 is authorized to be available on a grant basis for Bulgaria;

and

- (7) \$11,500,000 is authorized to be available on a grant basis for Romania.

(b) CONFORMING AMENDMENT.—Subsection (a) of section 515 of the Security Assistance Act of 2000 (Public Law 106–280) is amended by striking paragraphs (1), (5), (6), (7), and (8) and redesignating paragraphs (2), (3), (4), and (9) as paragraphs (1) through (4), respectively.

BACKGROUND AND PURPOSE

Following the end of the Cold War, the question arose whether the North Atlantic Treaty Organization (NATO), which was indis-

pensable to the West's victory in that struggle, was of any continuing relevance in the post-Cold War era. The Committee on International Relations has consistently taken the view that NATO has a vital role to play in consolidating democracy, respect for human rights and free markets in the newly free countries of Central and Eastern Europe.

The Committee has expressed this view in a number of previous bills, including the NATO Participation Act of 1994 (title II of Public Law 103-447), the NATO Enlargement Facilitation Act of 1996 (title VI of section 101(c) of title I of division A of Public Law 104-208), and the European Security Act of 1998 (title XXVII of division G of Public Law 105-277). The Committee believes that these efforts contributed to the decision of NATO in 1997 to enlarge to include Poland, Hungary, and the Czech Republic.

The remaining countries of Central and Eastern Europe that aspire to join the Alliance had hoped that NATO would initiate a second round of enlargement at its Washington Summit in April, 1999. In the end, the Alliance chose at that summit to postpone decisions on further enlargement to the next NATO summit. That summit has now been scheduled for late 2002 in Prague, the Czech Republic.

On June 15, 2001, President George W. Bush gave a speech in Warsaw, Poland, in which he called upon NATO to agree to a robust second round of enlargement at the Prague Summit. This speech was consistent with a speech given by President William J. Clinton in Detroit, Michigan, on October 22, 1996, in which he insisted that NATO not close the door to new members following its first round of enlargement.

This legislation endorses the vision of further NATO enlargement articulated by Presidents Bush and Clinton.

HEARINGS

The issue of NATO enlargement figures prominently in any discussion of U.S. policy toward Europe or the former Soviet Union. Accordingly, it was addressed by Secretary of State Colin Powell in his March 7, 2001, testimony before the Committee on the subject of "Reinvigorating U.S. Foreign Policy." The issue was also explored in the Subcommittee on Europe's April 25, 2001, hearing on "The U.S.-European Relationship: Opportunities and Challenges." The witnesses at that hearing included Dr. Simon Serfaty, Director of the Europe Program of the Center for Strategic and International Studies; Dr. Charles Kupchan, Senior Fellow and Director of European Studies of the Council on Foreign Relations; and Dr. Willard Berry, President of the European-American Business Council.

COMMITTEE CONSIDERATION

On November 1, 2001, the Committee on International Relations marked up the bill, H.R. 3167, pursuant to notice, in open session. The Committee adopted one amendment, offered jointly by Representative Bereuter and Representative Gilman, to change the short title of the bill to the "Gerald B. H. Solomon Freedom Consolidation Act of 2001." The amendment was adopted by voice vote. The Committee agreed to a motion to report favorably the bill, as

amended, to the House of Representatives, by a voice vote, a quorum being present.

VOTES OF THE COMMITTEE

There were no record votes of the Committee.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of House Rule XIII is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

COMMITTEE COST ESTIMATE

The Committee estimates the cost for the bill to be \$55.5 million if all authorized funds are appropriated.

PERFORMANCE GOALS AND OBJECTIVES

The goals and objectives of this legislation are to support the realization of the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article 8, section 1, clause 18 of the Constitution.

SECTION-BY-SECTION ANALYSIS AND DISCUSSION

Section 1. Short Title.

Provides that this Act may be cited as the “Gerald B. H. Solomon Freedom Consolidation Act of 2001.”

Gerald B. H. Solomon, former Chairman of the Committee on Rules and a former member of the Committee on International Relations, died on October 26, 2001. Throughout his 20 years in Congress he was a strong and consistent supporter of the North Atlantic Treaty Organization. Following the end of the Cold War he became an ardent proponent of NATO enlargement, and in 1998 published a book on the subject entitled “The NATO Enlargement Debate, 1990–1997: Blessings of Liberty.” The Committee felt it appropriate that this bill, which seeks to advance his vision of further NATO enlargement, be named in his honor.

Section 2. Findings.

Sets forth findings which, among other things, recall statements by Congress in previously-enacted legislation supporting continued

NATO enlargement, statements adopted at previous NATO summits committing the Alliance to continued enlargement. The findings also endorse the objectives of the Vilnius 10 group of prospective applicants. The findings also quote at length from President George W. Bush's speech in Warsaw, Poland of June 15, 2001, and former President William J. Clinton's speech in Detroit Michigan of October 22, 1996, both of which called for further enlargement of the NATO Alliance following the first round of enlargement.

Section 3. Declarations of Policy.

Sets forth declarations of policy by Congress, including a reaffirmation of the expressions of support for continued enlargement of NATO contained in previously-enacted legislation, and support for statements adopted at previous NATO summits committing the Alliance to continued enlargement.

In addition, there is a specific endorsement of the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996.

Section 4. Designation of Slovakia to Receive Assistance Under the NATO Participation Act of 1994.

Designates Slovakia as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994. Provides that this designation is in addition to the previous designations of Poland, Hungary, the Czech Republic, Slovenia, Romania, Estonia, Latvia, Lithuania, and Bulgaria as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994. Further provides that this designation shall not preclude the designation by the President of other emerging democracies in Central and Eastern Europe pursuant to section 203(d)(2) of the NATO Participation Act of 1994 as eligible to receive assistance under the program established under section 203(a) of such Act.

Section 5. Authorization of Security Assistance For Countries Designated Under the NATO Participation Act of 1994.

Authorizes assistance under section 23 of the Arms Export Control Act for Estonia, Latvia, Lithuania, Slovakia, Slovenia, and Bulgaria from funds made available under such section for fiscal year 2002. The authorization levels are set at the level requested by the Administration for these countries in its FY 2002 budget presentation. Repeals authorizations of assistance under section 23 of the Arms Export Control Act set at lower levels for these countries for fiscal year 2002 in the Security Assistance Act of 2000.

Like the Administration, the Committee considers that the authorization levels set in this legislation are warranted for each of these seven countries. In specifying country-by-country authorization levels, the Committee does not seek to deny the Administration necessary flexibility to either increase the amounts finally allocated to these countries (if, for example, additional funds are appropriated for Foreign Military Financing), or reduce the amounts finally allocated if changed circumstances so require. In either case, the Committee would expect to be notified and consulted.

NEW ADVISORY COMMITTEES

H.R. 3167 does not establish or authorize any new advisory committees.

CONGRESSIONAL ACCOUNTABILITY ACT

H.R. 3167 does not apply to the legislative branch.

FEDERAL MANDATES

H.R. 3167 provides no Federal mandates.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

**SECTION 515 OF THE SECURITY ASSISTANCE ACT OF
2000**

SEC. 515. SECURITY ASSISTANCE FOR CERTAIN COUNTRIES.

(a) **FOREIGN MILITARY FINANCING.**—Of the amounts made available for the fiscal years 2001 and 2002 under section 23 of the Arms Export Control Act (22 U.S.C. 2763)—

[(1) \$18,200,000 for fiscal year 2001 and \$20,500,000 for fiscal year 2002 are authorized to be available on a grant basis for all of the following countries: Estonia, Latvia, and Lithuania;]

[(2)] (1) \$2,000,000 for fiscal year 2001 and \$5,000,000 for fiscal year 2002 are authorized to be available on a grant basis for the Philippines;

[(3)] (2) \$4,500,000 for fiscal year 2001 and \$5,000,000 for fiscal year 2002 are authorized to be available on a grant basis for Georgia;

[(4)] (3) \$3,000,000 for fiscal year 2001 and \$3,500,000 for fiscal year 2002 are authorized to be available on a grant basis for Malta;

[(5)] \$3,500,000 for fiscal year 2001 and \$4,000,000 for fiscal year 2002 are authorized to be available on a grant basis for Slovenia;

[(6)] \$8,400,000 for fiscal year 2001 and \$8,500,000 for fiscal year 2002 are authorized to be available on a grant basis for Slovakia;

[(7)] \$11,000,000 for fiscal year 2001 and \$11,100,000 for fiscal year 2002 are authorized to be available on a grant basis for Romania;

[(8)] \$8,500,000 for fiscal year 2001 and \$8,600,000 for fiscal year 2002 are authorized to be available on a grant basis for Bulgaria; and]

[(9)] (4) \$100,000,000 for fiscal year 2001 and \$105,000,000 for fiscal year 2002 are authorized to be available on a grant basis for Jordan.

* * * * *